UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA STATESVILLE DIVISION 5:17-cv-00056-RJC-DSC

LISA C. BALLENTINE,)	
Plaintiff,)	
vs.))	
THREE T TOWING, LLC,)	ORDER
Defendant.)))	

THIS MATTER comes before the Court on Defendant Three T Towing, LLC's ("Defendant") Motion for Reconsideration of Contempt Sanction, (Doc. No. 32). For good cause shown, and noting that Plaintiff's counsel has not submitted a response in opposition, the Motion is **GRANTED**. The court is persuaded that Defendant's failure to comply with deadlines, although inexcusable, was aberrant, not likely to occur again, and to some extent invited by the failure of Plaintiff's counsel to prosecute its case.

Pursuant to Rules 37, 60, and 65 of the Federal Rules of Civil Procedure and the inherent authority and power of the Court to grant the requested relief, the Court MODIFIES its oral order issued on April 24, 2019 imposing sanctions on defense counsel, and hereby RELEASES Defense counsel from having to pay any fine to the Court for his failure to comply with the Court's Pretrial Order and Case Management Plan. However, the Court notes that the sanction remains in effect for Plaintiff's counsel. SO ORDERED.

Signed: August 6, 2019

Robert J. Conrad, Jr. United States District Judge